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IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MCGIP, LLC,

Plaintiff,

v.

DOES 1-49,

Defendants.

No. C-11-01801 JF

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S APPLICATION FOR
LEAVE TO TAKE DISCOVERY
PRIOR TO RULE 26(f) CONFERENCE**

**ORDER GRANTING PLAINTIFF'S APPLICATION FOR LEAVE TO TAKE DISCOVERY
PRIOR TO RULE 26(f) CONFERENCE**

The Court has reviewed the Complaint with attached Exhibit A, Plaintiff's *Ex Parte* Application for Leave to Take Expedited Discovery and all the papers filed in connection with the application, as well as the relevant case law. Accordingly, it is hereby

ORDERED that Plaintiff's *Ex Parte* Application for Leave to Take Expedited Discovery is GRANTED; it is further

ORDERED that Plaintiff may immediately serve Rule 45 subpoenas, which are limited to the following categories of entities and information:

From each and every Internet Service Providers (ISPs) identified in the Exhibit A attached to the Complaint, as well as any other entity later identified, as a provider of Internet services to one of the Doe Defendants in response to a subpoena or as a result of ongoing BitTorrent activity monitoring: all

1 information sufficient to identify each Defendant based on supplied IP
 2 addresses, including name, current (and permanent) address, telephone number,
 e-mail address, and Media Access Control address; it is further

3 ORDERED any information disclosed to the Plaintiff in response to a Rule 45 subpoena may
 4 be used by the Plaintiff solely for the purpose of protecting Plaintiff's rights as set forth in its
 5 Complaint; it is further

6
 7 ORDERED that Plaintiff and any entity which receives a subpoena shall confer, if necessary,
 8 with respect to the issue of payment for the information requested in the subpoena or for resolution
 9 of IP addresses which are not controlled by such entity, duplicate IP addresses that resolve to the
 10 same individual, other IP addresses that do not provide the name and other information requested of
 11 a unique individual, or for the entity's internal costs to notify its customers; it is further

12
 13 ORDERED that any entity which receives a subpoena and elects to charge for the costs of
 14 production shall provide a billing summary and any cost reports that serve as a basis for such billing
 15 summary and any costs claimed by such entity; it is further

16 ORDERED that Plaintiff shall serve a copy of this Order along with any subpoenas issued
 17 pursuant to this Order to the necessary entities; it is further

18 ORDERED that if any entity subpoenaed pursuant to this Order wishes to move to quash the
 19 subpoena, it must do so before the return date of the subpoena, which shall be 20 days from the date
 20 of service; and

21
 22 Finally, it is ORDERED that the subpoenaed entity shall preserve any subpoenaed
 23 information pending the resolution of any timely-filed motion to quash.

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 25
 26 DATED: _____

United States District Court Judge